

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON EDUCATION AND CULTURAL RESOURCES

Call to Order: By **CHAIRMAN DARYL TOEWS**, on February 1, 1999 at 3:05 P.M., in Room 402 Capitol.

ROLL CALL

Members Present:

Sen. Daryl Toews, Chairman (R)
Sen. Bill Glaser, Vice Chairman (R)
Sen. Jon Ellingson (D)
Sen. Alvin Ellis (R)
Sen. John Hertel (R)
Sen. Bob Keenan (R)
Sen. Debbie Shea (D)
Sen. Mike Sprague (R)
Sen. Spook Stang (D)
Sen. Mignon Waterman (D)
Sen. Jack Wells (R)

Members Excused: None.

Members Absent: None.

Staff Present: Eddye McClure, Legislative Branch
Janice Soft, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 204, 1/22/1999
Executive Action: None

HEARING ON SB 204

Sponsor: SEN. TOM KEATING, SD 5, Billings

Proponents: Laurie Koutnik, Christian Coalition

Arlette Randash, Eagle Forum

Mr. Johnson, Private Citizen

Opponents: Lance Melton, Montana School Boards Association

Don Waldron, Montana Rural Education Association &

Montana Association of County

Superintendents of Schools

Loran Frazier, School Administrators of Montana

Dan Stonington, Office of Public Instruction

Eric Feaver, Montana Education Association & Montana

Federation of Teachers

Don Judge, AFL/CIO

Informational: Wayne Buchanan, Board of Public Education

Bruce Swanson, Private Citizen

Kevin Howlett, Salish Kootenai Tribes

Opening Statement by Sponsor:

SEN. TOM KEATING, SD 5, Billings, read his written testimony **EXHIBIT**(eds25a01) and distributed **EXHIBIT**(eds25a02), **EXHIBIT**(eds25a03), **EXHIBIT**(eds25a04). He also said SB 204 was based on input from Montana citizens as well as legislation from Texas, Arizona and Colorado. He stated the bill was designed so anyone who wanted to take a calculated risk with capital investment could start a charter school.

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Proponents' Testimony:

Laurie Koutnik, Christian Coalition, read her written testimony **EXHIBIT**(eds25a05).

Arlette Randash, Eagle Forum, read her written testimony **EXHIBIT**(eds25a06).

Mr. Johnson, Private Citizen from Missoula, said SB 204 was a fine piece of legislation which would enable the development of strong charter schools. The key element was an alternative authorizing agency other than the local school board that could enable the existence of a charter school. He explained if the school board was the only agency to authorize the existence of a charter school, the evidence was overwhelming that the states which had this weak legislation really had no charter schools.

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Opponents' Testimony:

Lance Melton, Montana School Boards Association (MSBA), read his written testimony **EXHIBIT(eds25a07)**.

Don Waldron, Montana Rural Education Association (MREA) and Montana Association of County Superintendents of Schools (MACSS), read his written testimony **EXHIBIT(eds25a08)**.

Loran Frazier, School Administrators of Montana (SAM), said there was a growing perception that many public schools were no longer successful in education and there was a need for change and competition. He commented there seemed to be a free market for tax dollars but when the tax money was collected, there were certain controls. In truth, Montana schools were probably faring better than impressions would imply -- experience showed that in states where charter schools existed, they were not the educational panacea as originally hoped. He said he had a problem with "parent control" and referred to an article about charter schools in an Arizona newspaper -- parent control wasn't necessarily the control in the Arizona charter schools. Another concern he had was the sponsor said the bill completely wiped out Chapter 20; however, it was his opinion he went back to Chapter 20 to develop the funding formula -- HB 667, compulsory attendance, etc. **Mr. Frazier** said it seemed if a group of home schoolers went together, they could have a charter school. He agreed charter schools provided parents with an innovative alternative, gave freedom from regulations, allowed self government and provided new reform models; however, the track record was mixed. He suggested **SB 204** could erode some of the finances which were now going to schools. One thing they were noticing in other states with private schools was they were turning to charter schools to help subsidize the funding and finances which were now lacking. It was his opinion that a charter school needed some local control; therefore, he asked the Committee to give **SB 204** a DO NOT PASS. He ended his presentation with the distribution of **EXHIBIT(eds25a09)** and **EXHIBIT(eds25a10)**.

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Dan Stonington, Office of Public Instruction (OPI), said they rose in opposition to **SB 204** -- their strongest objection was the lack of fiscal and academic accountability, which could lead to abuses already experienced in other states. He referred to Section 5(1)(c), and said this section was as specific as the bill got in reference to academic assessment, and explained the schools themselves didn't have to choose an assessment tool -- all the charter school had to do was describe its method of

assessment. He compared the standards of public schools to ensure minimum levels of proficiency for Montana students: (1) Math and reading both had standardized goals for achievements; (2) Teachers used critical thinking assessments; (3) Standardized tests; (4) Established a system of accountability for the taxpayers who were funding the education. He said the board of charter schools was not liable for the financial obligations or for the performance operation of the charter schools they were overseeing. The bill said the board must develop the rules establishing financial reporting procedures, but there was no precedent for what they must be. **Mr. Stonington** named several for-profit charter school corporations in other states which increased revenues by running two (2) or three (3) four-hour sessions per day and substituted self-paced computer instruction for regular teaching staff. He referred to a charter school in Detroit which submitted an enrollment report to the state which differed from the actual in order to get more money for profit. He said if the charter school board was not liable for the financial abuses, there was no way to ensure the money OPI gave those schools would be used for the benefit of the students. His summation was OPI supported and encouraged innovation and flexibility; both ideas were behind the charter school movement and they supported the sponsor in that respect. However, OPI could not support a bill that ignored educational standards and lacked a system of accountability, both fiscally and academically. He urged the Committee to table **SB 204**.

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Eric Feaver, Montana Education Association (MEA) and Montana Federation of Teachers (MFT), said they rose in opposition to **SB 204**, reiterating there was no provision for local school district involvement; yet it would pay a 90% of the average per-pupil basis of all budgeted accounts in the local school district, an amount that could amount to \$5,000 - \$6,000 per pupil. He stressed it would not attract only 15 or 20 applicants the first year; rather, lots of folks would be chasing this money. Also, the bill was intended to crash the public school system as it was known -- the competitor charter school system would be funded almost as well as our current public school system at the expense of the local school communities. He agreed with OPI's testimony there was nothing in the bill which approximated accreditation standards; consequently, there was no accountability. The local board of trustees had no oversight so would provide none; however, it was hoped the board of charter schools at the state level would provide some. He referred to the fiscal note which said there would be an outlay of \$33,840 in each fiscal year of the biennium -- he wondered how it could be so little. He suggested the only cost to the state of Montana was the

employment of staff by the board of charter schools, upon the assumption the board would employ the existing staff at the Board of Public Education. He declared it was impossible for him to believe that would take place because: (1) The bill didn't say that was the staff the charter schools must employ -- it would be administratively attached to the Board of Public Education but it had the authority to employ its own personnel; (2) It would be a huge conflict of interest for the staff of the Board of Public Education to also serve as the staff of the charter school. He said currently the Board of Public Education (whose makeup was two (2) people) did nothing with its staff to review what the schools did in Montana -- that staff was provided by OPI. It was his opinion the fiscal note was ridiculous. **Mr. Feaver** said one of the most frightening things about a charter school was there was no provision for teacher certification and he couldn't imagine anyone in Montana sending his or her child to a school where the teachers were not certified and competent to do what they were doing. He asked the Committee to keep in mind any person, governmental entity or private organization could start a charter school. The schools couldn't be sectarian (at least on the surface they couldn't be) but anybody could do it. He again said **SB 204** crashed the public school system and benefitted the home schoolers because it was designed to invite home schoolers to do whatever they did and pay them royally for it in an unaccountable, uncredited and uncertified way. His final reason for opposing **SB 204** was it didn't provide collective bargaining. He said his union members rose in objection to the notion that a tax-payer publically funded school system could be created that didn't allow collective bargaining. He asked the Committee to reject **SB 204** now as it did in past Legislative Sessions.

Don Judge, AFL/CIO, said they also rose in opposition to **SB 204**. He referred to some proponent testimony which cited statistics of national enrollment of minorities, poor or disabled and said they didn't come about because the schools sought to enroll those individuals; rather the statutes in those states which allowed charter schools mandated a certain percentage of those individuals be a piece of their student bodies. He suggested it was not a freedom of choice but a selected recruitment policy. He concurred with the danger of these being sectarian; in fact, the proponents were two of the leading sectarian advocate organizations in Montana. He referred to an article by Richard Ross and said many of its points had already been voiced today, including: (1) The lack of adequate testing to judge whether or not there was any success; (2) The governing boards were simply a selection of community individuals who chose to set their own standards and could change them as needed in order to meet the requirements of academic certification; (3) Not once since 1991 had a charter school been decertified to meet academic standards;

yet, some of those schools who set academic standards eliminated several because the criteria could not be met -- they left one (1) criteria in place and said the school was successful. This was a dangerous course for Montana to take and his members who were taxpayers wanted a strong, viable education system (he agreed the system needed improving and they were ready to work on improving it) and didn't want their tax dollars being spent by any organization that submitted a charter school application and received a certification. He said they didn't want their children taught by teachers who were neither certified nor had rights to collective bargaining. He encouraged a DO NOT PASS.

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Informational Testimony:

Wayne Buchanan, Board of Public Education, said eventually there would be a charter school bill that all in the educational community could support. He said the Board of Public Education, in its present rules, came very close to allowing charter schools, i.e. an alternative standard. He said one question he had was why was there a separate board because the Board of Public Education was already set up to do this with the help of the Superintendent of Public Instruction. He referred to the fiscal note and explained it was strictly for administrative purposes, i.e. for the board to meet to receive advice from the Board of Public Education staff regarding meeting laws, etc. He reiterated the Board of Public Education was not taking a position on **SB 204**.

Bruce Swanson, Private Citizen, said one of the educational high points in his life happened in 1967 when he was living in Washington state and discovered the public schools were deliberately de-schooling his children. He said he looked at the textbooks and talked to the teachers but could get no satisfactory explanation; if he as a former teacher wasn't aware at first of what was happening, the average parent would be unqualified to judge a school. He informed the Committee the first four or five years were the most critical in learning because that was when the connectives in the brain were formed which determined cognitive ability. He suggested if the charter schools were allowed to work for 15 or 20 years in the free market, they would not jostle around with parents deciding on which ones were good and which were bad, i.e. the process would not converge onto a good educational system. He said for a time he was an educational consultant who checked religious, public and private schools and found they all used essentially the same programs. He said there was a network of human behavior laboratories in several countries who were publishers and writers

of standardized tests that wanted charter schools and social cohesion that went along with it. He said if a program could successfully start which would program children's brains correctly the first five years, he was all for breaking the public school system. **Mr. Swanson** said the critical question was curriculum and suggested a definition would include actual subjects being taught and topics within those subjects. He said there was essentially the same curriculum taught throughout the country and it was very bad; the possibility existed of writing into the bill a minimum of curriculum.

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Kevin Howlett, Confederated Salish Kootenai Tribes, said he was here to observe. He was concerned with native American children in Montana who were having a difficult time in public education. He didn't think there was any one entity that had a monopoly on the problem; rather, it was a wide-spread problem that went to the understanding of the teachers, the communities, governmental entities and basics of being human to each other. One of his major concerns was an opportunity be created in Montana for every child to succeed through the best, brightest and most opportune things given us and **SB 204** could be that. He said it wasn't just the issue of tax dollars because on the reservations and cities who had military installations there were many federal dollars which made up a part of the schools' budgets. They wanted to ensure those things were duly considered and there be representation from both an ethnic and intellectual prospective. They would look at things that would guarantee they could do it better, which was what all wanted. He said he was a product of a sectarian school and private and public schools as well so he had personal experience in all arenas; all contributed in a huge way. He asked the Committee to look deeper into this and consider people of color and native American people according to Constitutional obligations -- their preservation and unique cultural heritage through their educational systems.

Questions from Committee Members and Responses:

SEN. MIGNON WATERMAN said in Colorado charter schools were done through the local school districts and wondered why the sponsor didn't choose to do the same. **SEN. TOM KEATING** said Montana already allowed the establishing of a satellite, which was similar to a charter school system, by going through the local school board. However, they didn't work because people who wanted to start charter schools saw what they had to go through and the controls were such there was not the academic freedom they wanted. Also, the states that had charter school law for

enabling charter schools through the local school district were the least successful. The most successful charter schools were in the states that had the autonomy he tried to write into **SB 204**.

SEN. WATERMAN asked about the provision in the bill which said the charter school board was not responsible or liable for the performance and operation of the schools. She wondered about the reason for the board if it wasn't somehow accountable. **SEN.**

KEATING said if a child failed in a charter school, the parents couldn't sue the school board of charter schools, but could sue the charter school for failing to live up to its mission. The language was there to exempt the board of charter schools from that sort of liability.

SEN. WATERMAN asked about the over-base formula in the bill -- she couldn't find it. **SEN. KEATING** said it was the equal opportunity clause in the Constitution.

SEN. WATERMAN asked how the bill had a guarantee they would stay within the cap since they would be able to raise their own funds.

SEN. KEATING said the board of charter schools would be responsible to comply with the Constitution.

SEN. DEBBIE SHEA asked for three examples of who would apply for the school. **SEN. KEATING** referred to a couple in Molt who had tried several times to open a charter school; however, under current law they decided they didn't want to try it, but would be interested under **SB 204**. He also mentioned a certified teacher and administrator in the public system who would be interested.

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SEN. SHEA asked if that fell under the definition of "charter schools", i.e. a public school established under those provisions. **SEN. KEATING** said it would because charter school meant a public school established under this enabling legislation.

SEN. SHEA referred to one testimony which said national statistics showed students were losing their enthusiasm and said she worked very hard to incorporate a unit on women, including native American women, in U.S. History. She asked if Montana schools were typical of the national trend or if Montanans were sort of "unto themselves." **Gail Gray, OPI**, said they were very proud of the excellent, enthusiastic teachers in Montana. Also, there were some students who were not enthusiastic about anything; however, public schools were working hard at providing alternatives. They had attended a conference which said some

students needed to be approached in a different way in order to meet their learning attitudes, abilities and interests. She again commended teachers in the public schools for addressing the different types of learning styles and needs -- OPI was very proud of them. **Ms. Gray** said she wasn't sure she agreed that was the national trend. **Eric Feaver** responded to **SEN. SHEA'S** comment/question by agreeing every school in Montana was not doing a great job; there were certain native American populations that needed special attention; their needs had not been addressed adequately and accurately; there was a lot of work yet to be done. He also agreed the system in place today was not working in regard to the native American population; however, he was not ready to abandon it and go the charter school route. He suggested MEA and MFT had a major role to play in the development of alternative education, i.e. different site educational opportunities in every school district. They had to work with their members to talk about contracts that spoke only to salary and benefits and leave the working conditions to the site where the education was being offered, i.e. let the employees decide what was best and not let the contract get in the way. However, they as a union, could not sacrifice salary and benefits and just cause of due process to that -- they would be remiss in their duty if they were. Also, he believed their contracts should be ever evolving and account for the parental demands and choices in public education -- the union should deliver that; however, that was not in **SB 204**. He admitted he didn't know if either the Legislature or each union member was ready for the union to lead the charge down that path. **Mr. Feaver** informed the Committee Montana was second in the world in eighth grade science but its scores were washed away because they were condensed with those of all America.

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SEN. JON ELLINGSON said he was concerned about the composition of the board and wondered why there were four (4) persons being drawn from the general public and why there was no requirement that at least some members had some experience in education.

SEN. TOM KEATING said most of the people in the general public were parents who had been through school; therefore, they had some awareness of education and could determine which core curriculum or program would be best.

SEN. ELLINGSON said the board of charter schools would not be able to revoke a charter if it were simply failing to provide even the most rudimentary education.

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SEN. KEATING said the language was broad by design in order to allow flexibility and freedom -- the board had the authority for rules and regulations so they could determine the acceptable criteria for the awarding of an application. It would have to be a common sense thing --if specifics were written into the language of the law, the aspects would be narrowed for the potential of an improved education system.

SEN. ELLINGSON asked if there was anything else in the powers of the boards of charter schools that would expressly give the authority to provide for certain academic standards. **SEN. KEATING** said they could under certain rulemaking authority and asked who had the most responsibility for educating the children -- the state or the parents. He said he came down on the side of the parents and he thought it was necessary for them to take every step they had available to provide the best education for their children. He suggested charter schools, private schools or public schools all provided choices for parents and the latitude in the bill was not to stifle the imagination of people who wanted to be innovative in providing quality education.

SEN. MIKE SPRAGUE asked about the uniqueness of Pine Hills Schools. **Gail Gray** said it was a unique school accredited by the Board of Public Education and was the only state institutional program that was accredited; however, some private schools were accredited by the Board of Public Education as well.

SEN. SPRAGUE asked if the Pine Hills School would have to accept all students. **Ms. Gray** said it would because the students were sent there by court action.

SEN. SPRAGUE said it was his observation the students at Pine Hills were very bright, but under-educated; therefore, if the alternative school was failing, was there not room for a charter school? **Gail Gray** said the present alternative accreditation standards allowed that very thing; it was passed in 1989 to allow a school, either public or private, to submit an alternative for a standard (either a section of or all standards) with the exception of things required by law, such as 180 days of school, certification of teachers, etc. She agreed there was a small number of students who were not having their needs met in the existing programs.

SEN. SPRAGUE asked if charter schools could fill the void of those failing in the public schools. **SEN. KEATING** said there was a lady in Milwaukee who started a charter school separate from the public system and was given public money to do it. She took the lowest 25% of the academic levels from the public system, put them in her charter school and applied her teaching and academic

standards. Those children advanced two (2) grade levels in one (1) year. Her school expanded, she was still being given public money and she was educating children in a public system at \$4,500 per student as opposed to \$8,000 to \$9,000 per student in the public schools. He said he was not advocating charter schools take special kids only -- he wanted the charter system to be available to all comers, on a first come, first served basis. Parents' tax money which was used for their children's education was used for that purpose. He said special needs children could be put into a charter school just as they could be put into a private or special school; therefore, he couldn't give an overall, specific answer.

SEN. BARRY "SPOOK" STANG asked for explanation of the technical notes, i.e. how would the cost-per-student within the base and the 90% of the previous year work as the charter school got the tax money. **Gail Gray** said if the total amount was divided by the ANB and then multiplied by 90% on the basis of the previous year, things would be included that were specific to a grant or group of students. She said that would have to be removed so the basic amount of educating the children would be what was dealt with. Also, there were many overall needs for the district to provide education and the loss of 10 students wouldn't make any difference; however, amounts spent on facilities was significant and she didn't know if that was addressed here. She wondered if they would stay within the equalization window if it was brought in. She admitted she really hadn't seen the technical notes so couldn't accurately comment on them; however, she'd be glad to do some research.

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SEN. STANG commented on the Two Eagle River School on the Flathead Reservation and said it was an alternative school. **Kevin Howlett** agreed, explaining it was also accredited by Northwest Association of Schools and by the state.

SEN. STANG asked if the school was set up under today's alternative standards and **Mr. Howlett** said it wasn't, and then gave the Committee a brief history of the school. He said in 1972 there were a number of students who were leaving public education and the tribe decided they could not continue to allow this -- they needed to provide some option for these kids to get a basic education. He said they approached the Bureau of Indian Affairs to provide some resources for basic instruction. In 1972, 2 out of 10 native American students were graduating from high school and he wasn't sure the statistics had improved today. This alternative currently existed for students on the Flathead Reservation and met its capacity in the physical structure of the

building. It functioned with an alternative grading system and although the teachers were certified because of the requirement by the State Board of Education, there were some opportunities lost to use knowledgeable people who may not have a teaching certificate but were professional in their field. He said the school had an enrollment of about 140 students and there were still things to be done.

SEN. STANG asked how the Two Eagle River school was funded -- elected school board or appointed board, or what. **Kevin Howlett** said the federal law that established the creation of tribal schools provided resources to the Bureau of Indian Affairs and Department of Education for disbursement to the tribe. He said they received no state money, no Impact Aid money; however, they received set-asides and Title I and other Titles eligible for unique needs of students in any system. As for the board, members were appointed by the tribal council and served a term -- the conditions were a member had to be a parent of a student at the school.

SEN. ALVIN ELLIS referred to testimony which said the Constitution required public schools had to be governed by elected local school boards and asked **SEN. KEATING** to address the statement. **SEN. KEATING** said it was possible for an administrator of a charter school to ask parents or interested parties to form a school board within the charter school and have them elected by the participants in the charter school, which would make them elected officials.

SEN. ELLIS asked if it would be appropriate to amend the bill that way and **SEN. KEATING** said he wasn't sure.

SEN. SHEA asked if her understanding was correct only those who were involved in the charter schools would be allowed to vote in this. **SEN. KEATING** said that was right because the children would be coming from various school districts. He asked if it were prudent to have all the districts vote on the board members of that particular charter school.

{Tape : 2; Side : A; Approx. Time Counter : 15.8}

SEN. SPRAGUE asked for elaboration on the concept that professional people be used as teachers in some instances. **Mr. Howlett** said he thought when the Confederated Salish-Kootenai tribes was considered, it was a multiple government with multiple issues and professional disciplines. He said Two Eagle Rivers school stood adjacent to Salish-Kootenai College, which did not require a certified teacher. He said he had taught classes at the university level in Montana, even though he didn't hold a

teaching certificate. When they looked at what Two Eagle could be, they were limited in offering because the tribal professionals didn't have teaching certificates. They went through an application process to procure teachers who may or may not be acquainted with the special needs of those children, but were hired because they were certified. He suggested there be state-wide discussion about alternative certification which would allow professionals to use that kind of expertise in schools because kids were being trained about life.

SEN. JACK WELLS asked about the rest of the financing (over the 90%) -- how it would be procured. **SEN. KEATING** said the average cost per student state-wide was \$6,362 -- 90% of that was about \$5,500. People around the country who were operating charter schools were doing so for about \$4,000 to \$5,000 per student. However, the financial aspect was up to the person(s) starting the charter school -- they had to determine the cost of doing business, how many students they could handle, what money was available, etc.

SEN. WELLS asked about the pay scales of the teachers in the charter schools. **SEN. KEATING** said that was a management issue, explaining if it were he, he would want teachers who were academically qualified, though certification might not be a specific ability, and ask what they might charge for their services to his school. If it fit within the budget, it would be a deal; however, if it didn't, he couldn't start a charter school.

SEN. WELLS referred to the testimony about computer teaching and asked for clarification. **Dan Stonington** said in the situation he referred to, computer education was substituted for real people. If computer education was a supplementary part of the curriculum, that was acceptable.

{Tape : 2; Side : A; Approx. Time Counter : 23.9}

SEN. WELLS asked if it would be possible to develop computer programs to do a number of things both economically and adequately for students so a full-time teacher would not be needed. **Dan Stonington** said OPI's stand would be a teacher should not be substituted with a machine because the attention and expertise of the teacher wasn't comparable. He said OPI would agree, however, that computers could bring support to the classroom.

SEN. DARYL TOEWS referred to OPI's and MEA's issue of accountability and asked what would happen to a school that didn't get its accreditation correct. **Gail Gray** said there were

a series of accreditation statutes, all went downhill -- none were good. Schools who were not meeting student standards were identified for special improvement -- distinguished educators worked with them to try to bring up their standards and achievement of their students.

SEN. TOEWS wondered what would happen if the schools still didn't comply with accreditation standards. **Gail Gray** said the school could eventually fall into a non-accreditation status and if that were to occur, they would not receive state funding.

SEN. TOEWS asked if that had ever happened in the whole history of the state of Montana. **Gail Gray** said she could not remember it happening to a public school, though it had happened to a private school.

SEN. TOEWS said technically accountability was a moot issue as far as accreditation standards went because there was no ultimate pain in this whole thing. **Gail Gray** disagreed with that comment, explaining when a school received a deficiency accreditation status, the local school board chairman had to face the Board of Public Education -- nobody wanted to see his or her school recognized in a negative way.

Closing by Sponsor:

SEN. TOM KEATING addressed the statement that Christian Coalition was a Christian organization and reminded the Committee 95% of the United States professed to be Christian; therefore, he didn't think it was a bad thing to be a Christian. As to charter schools having no accountability, he said the American Federation of Teachers in 1998 gave Montana's academic standards an "F". He also suggested the state was beginning to match the standards to an aligned test -- if the standards were aligned to fit the test scores, it was a waste of time. He said it was easy to be negative -- charter schools which were a total flop could be found as well as those which were excellent and it was up to the people to choose where they wanted their children educated. He said Montana's educational system was a monopoly, explaining in the past 12 years, the cost of public education had doubled; yet test scores had not gone up. He further explained in SAT scores, Montana was not even ranked in the top 10% of the nation and in ACT scores, Montana ranked fourth. He admitted Montana ranked high in the nation, but the United States ranked low internationally. He reminded the Committee he was trying to offer a parallel public education system where parents could have a choice to take their children to a school where they thought the youth could get an education which would prepare them to make a livelihood and live in this international marketplace. He said

it was up to the Committee to be either negative or positive, and to decide if it was willing to take a risk and establish charter schools.

ADJOURNMENT

Adjournment: 5:05 P.M.

SEN. DARYL TOEWS, Chairman

JANICE SOFT, Secretary

DT/JS

EXHIBIT (eds25aad)